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APPLICATION NO.	1	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,054		03/31/2004	Yoshitaka Fukushima	F05-169600M/KQK	4870
21254	7590	03/23/2006	EXAMINER		
		ECTUAL PROPE	LHYMN, EUGENE		
8321 OLD C SUITE 200	OURTH	OUSE ROAD	ART UNIT	PAPER NUMBER	
	'A 22182-3817			3727	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extension of time may be available under the prevalence of 30° FRT 17360, in no event, however, may a reply be timely find.  If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (8) MONTH'S from the mailing date of this communication. Failure to reply which the stor or dended period for rejve its specified above, the maximum statutory period will apply and will expire SIX (8) MONTH'S from the mailing date of this communication. Failure to reply which the stor or dended period for rejve its specified above, the maximum statutory period will apply and will expire SIX (8) MONTH'S from the mailing date of this communication, even it timely flated, may reduce any statutor part of the store of the mailing date of the communication, even it timely flated, may reduce any statutor part of the mailing date of the communication, even it timely flated, may reduce any statutor part of the mailing date of the communication, even it timely flated, may reduce any statutor part of the mailing date of the communication, even it timely flated, may reduce any statutor part of the mailing date of the communication, even it timely flated, may reduce any statutor part of the mailing date of the communication is considerable.  1) Responsive to communication (s) filled on		Application No.	Applicant(s)				
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#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
  - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 7 & 8 recite the limitation "the plurality of." There is insufficient antecedent basis for this limitation in the claim.
- 3. Claims 3 & 4 recites the limitation "display position." There is insufficient antecedent basis for this limitation in the claim.

### Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Danna (US 5221021). With respect to claim 1, Danna discloses a display potion of a working portion of a waste fuel hole at an outer surface of a tank (Fig. 4, item 58 & 32).

With respect to claim 2, Danna discloses the display portion being located below a chamber module (34).

As to claim 3, Danna discloses the display portion being a bead portion (Fig. 4).

Application/Control Number: 10/813,054

Art Unit: 3727

As to claim 4, Danna discloses the bead portion being formed by projecting a bead portion to an inner side of the tank (Fig. 4).\

## Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danna in view of Benjey et al. (US 6298540 B1). As to claims 5, 6, Danna discloses the claimed invention except for the bead portion being a plurality of non-continuous bead portions. However, Benjey et al. teaches a fuel tank having a plurality of non-continuous bead portions, thereby providing an alternate arrangement of bead portions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the bead portion of Danna to have multiple noncontinuous portions as taught by Benjey et al. so as to provide an alternate bead arrangement.

With respect to claims 7, 8, Danna discloses the claimed invention except for the bead portion including a plurality of bead portions. However, Benjey et al. teaches a fuel tank having a plurality of non-continuous bead portions, thereby providing an alternate arrangement of bead portions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the bead portion of

Art Unit: 3727

Danna to have multiple noncontinuous portions as taught by Benjey et al. so as to provide an alternate bead arrangement.

#### Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Balzer (2002/0053568 A1)

Clayton (6135306)

Fish (2003/0057212 A1)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Lhymn whose telephone number is 571-272-8712. The examiner can normally be reached on MTWT 6-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on (571)272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/813,054

Art Unit: 3727

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NATHAN J. NEWHOUSE SUPERVISORY PATENT EXAMINER

Page 5